



UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2022 Grand Jury

UNITED STATES OF AMERICA,

CR 2:22-cr-00294 -ODW

Plaintiff,

I N D I C T M E N T

v.

[18 U.S.C. § 371: Conspiracy;  
18 U.S.C. § 922(a)(1)(A): Engaging  
in the Business of Dealing in  
Firearms Without a License;  
18 U.S.C. § 922(g)(1): Felon in  
Possession of Firearms and  
Ammunition; 26 U.S.C. § 5861(d):  
Possession of Unregistered  
Firearms; 18 U.S.C. § 922(o):  
Possession of Machineguns;  
18 U.S.C. § 924, 28 U.S.C.  
§ 2461(c): Criminal Forfeiture]

MATTHEW JOHNSON,  
aka "East," and  
ANDREA RESHIONE REYES,

Defendants.

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

[ALL DEFENDANTS]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Defendant MATTHEW JOHNSON, also known as "East," resided in Los Angeles, California, within the Central District of California.

1 Defendant ANDREA RESHIONE REYES resided within the District of  
2 Nevada.

3 2. The ATF required all federally-licensed firearms dealers  
4 ("FFLs") to document firearms sales and purchases on an ATF Form 4473  
5 Firearms Transaction Record ("Form 4473"), a form that was completed  
6 by the FFL and the firearm purchaser.

7 3. At the time the purchaser submitted an application to  
8 purchase a firearm, the purchaser was required to certify on the Form  
9 4473 that he or she was the "actual buyer" of the firearm. The Form  
10 4473 advised that: "You are not the actual buyer if you are acquiring  
11 the firearm(s) on behalf of another person."

12 B. OBJECT OF THE CONSPIRACY

13 4. Beginning on a date unknown, but not later than on or about  
14 May 2, 2022, and continuing until a date unknown but not earlier than  
15 on or about May 25, 2022, in Los Angeles County, within the Central  
16 District of California, and elsewhere, defendants JOHNSON and REYES  
17 conspired with others known and unknown to the Grand Jury to commit  
18 an offense against the United States, namely, to knowingly make false  
19 statements in the acquisition of firearms, in violation of Title 18,  
20 United States Code, Section 922(a)(6).

21 C. THE MANNER AND MEANS OF THE CONSPIRACY

22 5. The object of the conspiracy was to be accomplished, in  
23 substance, as follows:

24 a. Defendant JOHNSON would direct defendant REYES to  
25 obtain firearms for defendant JOHNSON from FFLs in Nevada.

26 b. Defendant REYES would purchase firearms from FFLs in  
27 Nevada and would execute and return to the FFLs Form 4473s falsely

1 stating that defendant REYES was the actual buyer of the firearms,  
2 rather than defendant JOHNSON who was, in fact, the actual buyer.

3 c. Defendant REYES would take possession of the firearms  
4 and then transfer them to defendant JOHNSON.

5 D. OVERT ACTS

6 6. On or about the following dates, in furtherance of the  
7 conspiracy and to accomplish its object, defendants JOHNSON and  
8 REYES, and others known and unknown to the Grand Jury, committed  
9 various overt acts within the Central District of California, and  
10 elsewhere, including, but not limited to, the following:

11 Overt Act No. 1: On May 2, 2022, defendant REYES bought a  
12 Ruger, model LCP MAX, .380 auto caliber semi-automatic pistol,  
13 bearing serial number 381359008 ("Ruger 1") from an FFL in Las Vegas,  
14 Nevada ("Firearm Retailer #1").

15 Overt Act No. 2: On May 2, 2022, defendant REYES executed and  
16 submitted to Firearm Retailer #1 a Form 4473, which falsely stated  
17 that she was the actual buyer of the Ruger 1 when, in fact, as  
18 defendant REYES then knew, the Ruger 1 was purchased for defendant  
19 JOHNSON.

20 Overt Act No. 3: On May 2, 2022, defendant REYES bought a  
21 Taurus, model GX4, 9mm caliber semi-automatic pistol, bearing serial  
22 number 1GA67637 ("Taurus") from Firearm Retailer #1.

23 Overt Act No. 4: On May 2, 2022, defendant REYES executed and  
24 submitted to Firearm Retailer #1 a Form 4473, which falsely stated  
25 that she was the actual buyer of the Taurus when, in fact, as  
26 defendant REYES then knew, the Taurus was purchased for defendant  
27 JOHNSON.

1       Overt Act No. 5:    On May 2, 2022, defendant JOHNSON travelled  
2 from Los Angeles, California to Las Vegas, Nevada, took possession of  
3 the Ruger 1 and Taurus from defendant REYES, and then transported the  
4 Ruger 1 and Taurus back with him to Los Angeles, California.

5       Overt Act No. 6:    On May 3, 2022, defendant JOHNSON travelled  
6 from Los Angeles, California to Las Vegas, Nevada and accompanied  
7 defendant REYES to an FFL in Las Vegas, Nevada ("Firearm Retailer  
8 #2").

9       Overt Act No. 7:    On May 3, 2022, defendant REYES bought a  
10 Smith & Wesson, model SD9, 9mm Luger caliber semi-automatic pistol,  
11 bearing serial number FDZ0848 ("Smith & Wesson 1"), from Firearm  
12 Retailer #2.

13       Overt Act No. 8:    On May 3, 2022, defendant REYES bought a  
14 Ruger, model AR-556, 556 caliber semi-automatic rifle, bearing serial  
15 number 1852-28163 ("Ruger 2"), from Firearm Retailer #2.

16       Overt Act No. 9:    On May 3, 2022, defendant JOHNSON told a  
17 salesperson at Firearm Retailer #2 to list defendant REYES's name on  
18 Form 4473 as the actual buyer for the firearms purchased from Firearm  
19 Retailer #2.

20       Overt Act No. 10:   On May 3, 2022, defendant REYES executed and  
21 submitted to Firearm Retailer #2 a Form 4473, which falsely stated  
22 that she was the actual buyer of the Smith & Wesson 1 and the Ruger 2  
23 when, in fact, as defendant REYES then knew, the Smith & Wesson 1 and  
24 the Ruger 2 were purchased for defendant JOHNSON.

25       Overt Act No. 11:   On May 3, 2022, defendant REYES bought a  
26 Ruger, model Security 9, 9mm Luger caliber semi-automatic pistol,  
27 bearing serial number 385-71900 ("Ruger 3"), from a retailer firearms  
28 store in Las Vegas, Nevada ("Firearm Retailer #3").

1       Overt Act No. 12: On May 3, 2022, defendant REYES bought a  
2 Glock, model 43X, 9mm caliber semi-automatic pistol, bearing serial  
3 number BWUY167 ("Glock"), from Firearm Retailer #3.

4       Overt Act No. 13: On May 3, 2022, defendant REYES bought a  
5 Smith & Wesson, model MP-15, .223 caliber semi-automatic rifle,  
6 bearing serial number TU20032 ("Smith & Wesson 2"), from Firearm  
7 Retailer #3.

8       Overt Act No. 14: On May 3, 2022, defendant REYES executed and  
9 submitted to Firearm Retailer #3 a Form 4473, which falsely stated  
10 that she was the actual buyer of the Ruger 3, the Glock, and the  
11 Smith & Wesson 2 when, in fact, as defendant REYES then knew, the  
12 Ruger 3, the Glock, and the Smith & Wesson 2 were purchased for  
13 defendant JOHNSON.

14       Overt Act No. 15: On May 3, 2022, defendant JOHNSON took  
15 possession of the Ruger 2, Ruger 3, Glock, Smith & Wesson 1, and  
16 Smith & Wesson 2 from defendant REYES and then transported the Ruger  
17 2, Ruger 3, Glock, Smith & Wesson 1, and Smith & Wesson 2 back with  
18 him to Los Angeles, California.

19       Overt Act No. 16: On May 24, 2022, defendant JOHNSON texted  
20 defendant REYES, directing defendant REYES to purchase two Ruger 57  
21 firearms from an FFL in Las Vegas, Nevada, and promising to send her  
22 \$1,500 through the Zelle application for the Ruger 57s.

23       Overt Act No. 17: On May 25, 2022, defendant REYES attempted  
24 to purchase a Ruger, model 57, 5.7x28 caliber semi-automatic pistol,  
25 bearing serial number 643-69052 ("Ruger 4") and a Ruger, model 57,  
26 5.7x28 caliber semi-automatic pistol, bearing serial number 643-53483  
27 ("Ruger 5") from a retailer firearms store in Las Vegas, Nevada  
28 ("Firearm Retailer #4")

1       Overt Act No. 18:   On May 25, 2022, defendant REYES executed  
2 and submitted to Firearm Retailer #4 a Form 4473, which falsely  
3 stated that she was the actual buyer of the Ruger 4 and Ruger 5 when,  
4 in fact, as defendant REYES then knew, the Ruger 4 and Ruger 5 were  
5 purchased for defendant JOHNSON.

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1 COUNT TWO

2 [18 U.S.C. § 922(a)(1)(A)]

3 [DEFENDANT JOHNSON]

4 Beginning on or before May 2, 2022, and continuing through on or  
 5 about June 3, 2022, in Los Angeles County, within the Central  
 6 District of California, defendant MATTHEW JOHNSON, also known as  
 7 "East," not being licensed as an importer, manufacturer, or dealer in  
 8 firearms, willfully engaged in the business of dealing in firearms,  
 9 specifically, the sales and attempted sales of the following  
 10 firearms, on or about the following dates:

Date	Firearm(s)
05/02/2022	<p>A Taurus, model GX4, 9mm caliber semi-automatic pistol, bearing serial number 1GA67637;</p> <p>A Ruger, model LCP MAX, .380 auto caliber semi-automatic pistol, bearing serial number 381359008; and</p> <p>A Glock, model 26Gen5, 9mm caliber pistol, bearing serial number AFSF627.</p>
05/04/2022	<p>A Ruger, model AR-556, 5.56 caliber semi-automatic rifle, bearing serial number 1852-28163;</p> <p>A Ruger, model Security 9, 9mm Luger caliber semi-automatic pistol, bearing serial number 385-71900;</p> <p>A Glock, model 43X, 9mm caliber semi-automatic pistol, bearing serial number BWUY167;</p> <p>A Smith &amp; Wesson, model SD9, 9mm Luger caliber semi-automatic pistol, bearing serial number FDZ0848; and</p> <p>A Smith &amp; Wesson, model MP-15, .223 caliber semi-automatic rifle, bearing serial number TU20032.</p>

<b>Date</b>	<b>Firearm(s)</b>
05/10/2022	<p>A Glock, model 43, 9mm caliber semi-automatic pistol, bearing serial number AFDA303;</p> <p>A Taurus, model G3, 9mm caliber pistol, bearing serial number ACK450889;</p> <p>An ABC Rifle Company, model ABC-15, multi-caliber semi-automatic pistol, bearing serial number ABCR-10445;</p> <p>A Taurus, model 856, .38 SPL caliber revolver, bearing serial number ADB931191;</p> <p>An AR-style, .223/5.56 caliber pistol, bearing no serial number (commonly referred to a "ghost gun"); and</p> <p>An AR-style, ghost gun, .223/5.56 caliber short barrel rifle.</p>
05/18/2022	<p>A Ruger, model 5.7, 5.7 x 28 caliber semi-automatic pistol, bearing serial number 643-78051;</p> <p>A Glock, model 19, 9mm caliber semi-automatic pistol, bearing serial number AAKS362;</p> <p>A Sig Sauer, model P226, 9mm Para caliber semi-automatic pistol, bearing serial number UU 655828;</p> <p>A Taurus, model PT 145 PRO, .45 ACP caliber semi-automatic pistol, with an obliterated serial number;</p> <p>A Taurus, model G2C, 9mm caliber semi-automatic pistol, bearing serial number 1C072677;</p> <p>A Smith &amp; Wesson, model Airweight, .38 S&amp;W SPL + P caliber revolver, bearing serial number CTW8972; and</p> <p>A Canik, model TB9SF, 9mm caliber semi-automatic pistol, bearing serial number T6472-20-AT 15603.</p>

<b>Date</b>	<b>Firearm(s)</b>
05/19/2022	<p>A Huglu, model RZ17 Tactical Silver Eagle, 12-gauge shotgun, bearing serial number 39-H21PT-8570;</p> <p>Two AR-style, ghost gun, .223 caliber pistols;</p> <p>An AR-style, ghost gun, .223 caliber rifle; and</p> <p>An AR-style, ghost gun, .223 caliber short barrel rifle.</p>
06/03/2022	<p>A Sun City Machinery Co., model .320, 12-gauge shotgun, bearing serial number 153491R;</p> <p>A Smith &amp; Wesson, model MP9 Shield, 9mm caliber semi-automatic pistol, bearing serial number HVY7240;</p> <p>An AR-style, ghost gun, .223 caliber pistol; and</p> <p>A Glock-style, ghost gun, 9mm caliber pistol.</p>

1 COUNT THREE

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT JOHNSON]

4 On or about May 2, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed firearms, namely, a Taurus, model GX4,  
7 9mm caliber semi-automatic pistol, bearing serial number 1GA67637,  
8 and a Ruger, model LCP MAX, .380 auto caliber semi-automatic pistol,  
9 bearing serial number 381359008, in and affecting interstate and  
10 foreign commerce.

11 Defendant JOHNSON possessed such firearms knowing that he had  
12 previously been convicted of at least one of the following felony  
13 crimes, each punishable by a term of imprisonment exceeding one year:

14 1. Carrying a Loaded Firearm, in violation of California Penal  
15 Code Section 12031(a)(1), in the Superior Court for the State of  
16 California, County of Los Angeles, Case Number TA125613, on or about  
17 February 11, 2009; and

18 2. Sales of Cocaine Base, in violation of California Health  
19 and Safety Code Section 11352, in the Superior Court for the State of  
20 California, County of Los Angeles, Case Number YA072253, on or about  
21 February 26, 2013.

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1 COUNT FOUR

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT JOHNSON]

4 On or about May 4, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed the following firearms, in and  
7 affecting interstate and foreign commerce:

8 1. a Ruger, model AR-556, .556 caliber semi-automatic rifle,  
9 bearing serial number 1852-28163;

10 2. a Ruger, model Security 9, 9mm Luger caliber semi-automatic  
11 pistol, bearing serial number 385-71900;

12 3. a Glock, model 43X, 9mm caliber semi-automatic pistol,  
13 bearing serial number BWUY167;

14 4. a Smith & Wesson, model SD9, 9mm Luger caliber semi-  
15 automatic pistol, bearing serial number FDZ0848; and

16 5. a Smith & Wesson, model MP-15, .223 caliber semi-automatic  
17 rifle, bearing serial number TU20032.

18 Defendant JOHNSON possessed such firearms knowing that he had  
19 previously been convicted of at least one of the following felony  
20 crimes, each punishable by a term of imprisonment exceeding one year:

21 1. Carrying a Loaded Firearm, in violation of California Penal  
22 Code Section 12031(a)(1), in the Superior Court for the State of  
23 California, County of Los Angeles, Case Number TA125613, on or about  
24 February 11, 2009; and

25 2. Sales of Cocaine Base, in violation of California Health  
26 and Safety Code Section 11352, in the Superior Court for the State of  
27 California, County of Los Angeles, Case Number YA072253, on or about  
28 February 26, 2013.

1 COUNT FIVE

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT JOHNSON]

4 On or about May 10, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed the following firearms and ammunition,  
7 in and affecting interstate and foreign commerce:

8 1. a Glock, model 43, 9mm caliber semi-automatic pistol,  
9 bearing serial number AFDA303;

10 2. a Taurus, model G3, 9mm caliber pistol, bearing serial  
11 number ACK450889;

12 3. an ABC Rifle Company, model ABC-15, multi-caliber semi-  
13 automatic pistol, bearing serial number ABCR-10445;

14 4. a Taurus, model 856, .38 SPL caliber revolver, bearing  
15 serial number ADB931191; and

16 5. approximately 300 rounds of SAR 5.56x45 caliber ammunition.

17 Defendant JOHNSON possessed such firearms and ammunition knowing  
18 that he had previously been convicted of at least one of the  
19 following felony crimes, each punishable by a term of imprisonment  
20 exceeding one year:

21 1. Carrying a Loaded Firearm, in violation of California Penal  
22 Code Section 12031(a)(1), in the Superior Court for the State of  
23 California, County of Los Angeles, Case Number TA125613, on or about  
24 February 11, 2009; and

25 2. Sales of Cocaine Base, in violation of California Health  
26 and Safety Code Section 11352, in the Superior Court for the State of  
27 California, County of Los Angeles, Case Number YA072253, on or about  
28 February 26, 2013.

1 COUNT SIX

2 [26 U.S.C. § 5861(d) ]

3 [DEFENDANT JOHNSON]

4 On or about May 10, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed a firearm, namely, an AR-style,  
7 .223/5.56 caliber rifle, with an unknown manufacturer, bearing no  
8 serial number (commonly referred to as a "ghost gun"), with a barrel  
9 of less than 16 inches in length, which defendant JOHNSON knew to be  
10 a firearm and a short-barreled rifle, as defined in Title 26, United  
11 States Code, Sections 5845(a)(3) and 5845(c), and which had not been  
12 registered to defendant JOHNSON in the National Firearms Registration  
13 and Transfer Record, as required by Title 26, United States Code,  
14 Chapter 53.

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1 COUNT SEVEN

2 [18 U.S.C. § 922(o)]

3 [DEFENDANT JOHNSON]

4 On or about May 10, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also  
6 known as "East," knowingly possessed a machinegun, as defined in  
7 Title 18, United States Code, Section 921(a)(23), and Title 26,  
8 United States Code, Section 5845(b), that defendant JOHNSON knew to  
9 be a machinegun, namely, an AR-style, .223/5.56 caliber pistol,  
10 bearing no serial number (commonly referred to a "ghost gun") with a  
11 machinegun conversion device that was designed and intended solely  
12 and exclusively for use in converting a weapon into a machinegun.

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1 COUNT EIGHT

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT JOHNSON]

4 On or about May 18, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed the following firearms and ammunition,  
7 in and affecting interstate and foreign commerce:

8 1. a Ruger, model 5.7, 5.7 x 28 caliber semi-automatic pistol,  
9 bearing serial number 643-78051;

10 2. a Glock, model 19, 9mm caliber semi-automatic pistol,  
11 bearing serial number AAKS362;

12 3. a Sig Sauer, model P226, 9mm Para caliber semi-automatic  
13 pistol, bearing serial number UU 655828;

14 4. a Taurus, model PT 145 PRO, .45 ACP caliber semi-automatic  
15 pistol, bearing no serial number;

16 5. a Taurus, model G2C, 9mm caliber semi-automatic pistol,  
17 bearing serial number 1C072677;

18 6. a Smith & Wesson, model Airweight, .38 S&W SPL + P caliber  
19 revolver, bearing serial number CTW8972;

20 7. a Canik, model TB9SF, 9mm caliber semi-automatic pistol,  
21 bearing serial number T6472-20-AT 15603; and

22 8. approximately 50 rounds of Fabrique Nationale Belgium, 5.7  
23 x 28 caliber ammunition.

24 Defendant JOHNSON possessed such firearms and ammunition knowing  
25 that he had previously been convicted of at least one of the  
26 following felony crimes, each punishable by a term of imprisonment  
27 exceeding one year:

1       1. Carrying a Loaded Firearm, in violation of California Penal  
2 Code Section 12031(a)(1), in the Superior Court for the State of  
3 California, County of Los Angeles, Case Number TA125613, on or about  
4 February 11, 2009; and

5       2. Sales of Cocaine Base, in violation of California Health  
6 and Safety Code Section 11352, in the Superior Court for the State of  
7 California, County of Los Angeles, Case Number YA072253, on or about  
8 February 26, 2013.

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1 COUNT NINE

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT JOHNSON]

4 On or about May 19, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed a firearm, namely, a Huglu, model RZ17  
7 Tactical Silver Eagle, 12-gauge shotgun, bearing serial number 39-  
8 H21PT-8570, in and affecting interstate and foreign commerce.

9 Defendant JOHNSON possessed such firearm knowing that he had  
10 previously been convicted of at least one of the following felony  
11 crimes, each punishable by a term of imprisonment exceeding one year:

12 1. Carrying a Loaded Firearm, in violation of California Penal  
13 Code Section 12031(a)(1), in the Superior Court for the State of  
14 California, County of Los Angeles, Case Number TA125613, on or about  
15 February 11, 2009; and

16 2. Sales of Cocaine Base, in violation of California Health  
17 and Safety Code Section 11352, in the Superior Court for the State of  
18 California, County of Los Angeles, Case Number YA072253, on or about  
19 February 26, 2013.

1 COUNT TEN

2 [26 U.S.C. § 5861(d) ]

3 [DEFENDANT JOHNSON]

4 On or about May 19, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed a firearm, namely, an AR-style, .223  
7 caliber rifle, with an unknown manufacturer, bearing no serial number  
8 (commonly referred to as a "ghost gun"), with a barrel of less than  
9 16 inches in length, which defendant JOHNSON knew to be a firearm and  
10 a short-barreled rifle, as defined in Title 26, United States Code,  
11 Sections 5845(a)(3) and 5845(c), and which had not been registered to  
12 defendant JOHNSON in the National Firearms Registration and Transfer  
13 Record, as required by Title 26, United States Code, Chapter 53.

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1 COUNT ELEVEN

2 [18 U.S.C. § 922(o)]

3 [DEFENDANT JOHNSON]

4 On or about May 19, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also  
6 known as "East," knowingly possessed two machineguns, as defined in  
7 Title 18, United States Code, Section 921(a)(23), and Title 26,  
8 United States Code, Section 5845(b), that defendant JOHNSON knew to  
9 be machineguns, namely, two AR-style, .223 caliber pistols, bearing  
10 no serial number (commonly referred to as "ghost guns") each with an  
11 AR-style, model 15, machinegun conversion devices that were designed  
12 and intended solely and exclusively for use in converting weapons  
13 into machineguns.

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1 COUNT TWELVE

2 [18 U.S.C. § 922(g)(1)]

3 [DEFENDANT JOHNSON]

4 On or about June 3, 2022, in Los Angeles County, within the  
5 Central District of California, defendant MATTHEW JOHNSON, also known  
6 as "East," knowingly possessed firearms, namely, a Sun City Machinery  
7 Co., model .320, 12-gauge shotgun, bearing serial number 153491R, and  
8 a Smith & Wesson, model MP9 Shield, 9mm caliber semi-automatic  
9 pistol, bearing serial number HVY7240, in and affecting interstate  
10 and foreign commerce.

11 Defendant JOHNSON possessed such firearms knowing that he had  
12 previously been convicted of at least one of the following felony  
13 crimes, each punishable by a term of imprisonment exceeding one year:

14 1. Carrying a Loaded Firearm, in violation of California Penal  
15 Code Section 12031(a)(1), in the Superior Court for the State of  
16 California, County of Los Angeles, Case Number TA125613, on or about  
17 February 11, 2009; and

18 2. Sales of Cocaine Base, in violation of California Health  
19 and Safety Code Section 11352, in the Superior Court for the State of  
20 California, County of Los Angeles, Case Number YA072253, on or about  
21 February 26, 2013.

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1 FORFEITURE ALLEGATION ONE

2 [18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal  
4 Procedure, notice is hereby given that the United States of America  
5 will seek forfeiture as part of any sentence, pursuant to Title 18,  
6 United States Code, Section 924(d)(1), and Title 28, United States  
7 Code, Section 2461(c), in the event of a defendant's conviction of  
8 the offenses set forth in any of Counts Three, Four, Five, Eight,  
9 Nine, and Twelve of this Indictment.

10 2. A defendant, if so convicted, shall forfeit to the United  
11 States of America the following:

12 (a) All right, title, and interest in any firearm or  
13 ammunition involved in or used in any such offense; and

14 (b) To the extent such property is not available for  
15 forfeiture, a sum of money equal to the total value of the property  
16 described in subparagraph (a).

17 3. Pursuant to Title 21, United States Code, Section 853(p),  
18 as incorporated by Title 28, United States Code, Section 2461(c), a  
19 defendant shall forfeit substitute property, up to the value of the  
20 property described in the preceding paragraph if, as the result of  
21 any act or omission of the defendant, the property described in the  
22 preceding paragraph or any portion thereof (a) cannot be located upon  
23 the exercise of due diligence; (b) has been transferred, sold to, or  
24 deposited with a third party; (c) has been placed beyond the  
25 jurisdiction of the court; (d) has been substantially diminished in  
26 value; or (e) has been commingled with other property that cannot be  
27 divided without difficulty.

1 FORFEITURE ALLEGATION TWO

2 [18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal  
4 Procedure, notice is hereby given that the United States of America  
5 will seek forfeiture as part of any sentence, pursuant to Title 18,  
6 United States Code, Section 924(d)(1) and Title 28, United States  
7 Code, Section 2461(c), in the event of any defendant's conviction of  
8 the offense set forth in Count Two of this Indictment.

9 2. A defendant, if so convicted, shall forfeit to the United  
10 States of America the following:

11 (a) All right, title, and interest in any firearm or  
12 ammunition involved in or used in such offense; and

13 (b) To the extent such property is not available for  
14 forfeiture, a sum of money equal to the total value of the property  
15 described in subparagraph (a).

16 3. Pursuant to Title 21, United States Code, Section 853(p),  
17 as incorporated by Title 28, United States Code, Section 2461(c), the  
18 defendant, if so convicted, shall forfeit substitute property, up to  
19 the value of the property described in the preceding paragraph if, as  
20 the result of any act or omission of the defendant, the property  
21 described in the preceding paragraph or any portion thereof

22 (a) cannot be located upon the exercise of due diligence; (b) has  
23 been transferred, sold to, or deposited with a third party; (c) has

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1 been placed beyond the jurisdiction of the court; (d) has been  
2 substantially diminished in value; or (e) has been commingled with  
3 other property that cannot be divided without difficulty.

4

5 A TRUE BILL

6

7 /S/  
Foreperson

8

9 TRACY L. WILKISON  
United States Attorney

10 

11  
12 SCOTT M. GARRINGER  
13 Assistant United States Attorney  
Chief, Criminal Division

14 DAVID T. RYAN  
15 Assistant United States Attorney  
Deputy Chief, General Crimes  
Section

16 VARUN BEHL  
17 Assistant United States Attorney  
General Crimes Section

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